

REMARKS

Reconsideration of the instant application in light of the above amendments and the following remarks is respectfully requested. Prior to this amendment, claims 1, 3-5, 17, 18, and 56-63 were pending and under examination, with claims 1, 3, 4, 17, 18, 57, 60, and 62 being allowable. By way of this amendment, claims 5, 58, 59, 61, and 63 are canceled, and claim 56 is amended to more specifically focus upon specific embodiments of the present invention. Support for these amendments may be found throughout the instant application and original claims as filed. No new matter has been added. It should be noted that the above amendments are not to be construed as acquiescence with regard to the Examiner's rejections and are made without prejudice to prosecution of any subject matter removed or modified by this amendment in a related divisional, continuation or continuation-in-part application.

Rejection Under 35 U.S.C. § 112, Second Paragraph

Claims 5, 56, 58, 59, 61, and 63 stand rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. Specifically, claims 5, 58, and 63 stand rejected as lacking sufficient antecedent basis for the limitation "aspartic acid," and claims 59 and 61 stand rejected as lacking sufficient antecedent basis for the limitation "glutamic acid," since these residues are not included in the sequences recited in the claims from which they depend. In addition, claim 56 stands rejected for reciting "a plurality of fusion proteins of claim 1, 3, 57, 60 and 62" without any structural cooperative relationships of element, as the Examiner cannot envision the structural relation of the sequences.

Applicants respectfully traverse this basis of rejection and submit that the claims are definite. With respect to claims 5, 58, 59, 61, and 63, which recite polyanionic domains comprising additional amino acid residues not present in the polyanionic domain of the base claim, Applicant submit that the skilled artisan would understand that these polyanionic domains included both the sequence recited in the respective base claims, as well as the additional recited anionic amino acid residues. Nonetheless, without acquiescence to this basis of rejection, and solely to expedite prosecution of the instant application, Applicants have canceled claims 5, 58, 59, 61, and 63, thereby obviating this basis of rejection.

Regarding claim 56, Applicants respectfully submit that the skilled artisan would immediately appreciate that a “plurality” of fusion proteins indicates a composition or solution comprising two or more different recited fusion proteins, *e.g.*, for use in preparing a microarray comprising multiple different fusion proteins of the present invention. However, to provide additional clarity to the claim, it has been amended to recite “[a] solution comprising a plurality of fusion proteins of claim 1, 3, 57, 60, and 62,” thereby clearly indicating the relationship between the fusion proteins. Support for this amendment is provided, *e.g.*, on page 8, paragraph 30, which describes solutions comprising a fusion polypeptide, and the claims as originally filed.

In view of the above amendment and remarks, Applicants respectfully request that this basis of rejection be reconsidered and withdrawn, and the remaining claims allowed.

The Director is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090.

Applicants respectfully submit that all of the claims remaining in the application are now allowable. Favorable consideration and a Notice of Allowance are earnestly solicited.

Respectfully submitted,  
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